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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/484331-Conf. #9576
	Filing Date	January 18, 2000
	First Named Inventor	John Joseph HARRINGTON
	Art Unit	1632
	Examiner Name	J. T. Weitach
Total Number of Pages in This Submission	Attorney Docket Number	ATX-007CP4DV12

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement Regarding Substance of Interview Amended Appeal Brief Return Receipt Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Sapna Mehtani, Ph.D., J.D.		
Date	February 13, 2006	Reg. No.	56,126

Docket No.: ATX-007CP4DV12  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
John J. Harrington *et al.*

Application No.: 09/484,331

Confirmation No.: 9576

Filed: January 18, 2000

Art Unit: 1632

For: COMPOSITIONS AND METHODS FOR NON-  
TARGETED ACTIVATION OF  
ENDOGENOUS GENES

Examiner: WOITACH, Joseph T.

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT REGARDING SUBSTANCE OF INTERVIEW**

Dear Sir:

Applicants file this statement to the Interview Summary mailed from the U.S. Patent and Trademark Office on January 12, 2006.<sup>1</sup> Applicants thank the Examiner for the interview on September 26, 2005, during which Applicants discussed the support in the specification to overcome the new matter rejection of the pending claims. The Examiner acknowledged that the specification provided literal support for claims directed to drug discovery; however, appeared to indicate that the support was found only in the context of a specific type of receptor. In response, Applicants argued that the specific type of receptor referred to by the Examiner was exemplary and that the Applicants should be entitled to a broader claim to the generic method.

<sup>1</sup> February 12, 2006, fell on a Sunday. Applicants note that the U.S. Patent and Trademark Office has mailed three copies of the Interview Summary (mailed on December 27, 2005, January 5, 2006, and January 12, 2006). Accordingly, this statement is responsive to all three Interview Summaries.

method. The Examiner indicated that narrower claims to a drug discovery method in the context of the specific receptor may be allowable; however, should the Applicants wish to pursue broader claims, the Examiner suggested filing an Appeal Brief instead of a Request for Continued Examination. Accordingly, Applicants filed an Appeal Brief on October 5, 2005, on the basis of the pending claims.

Applicants believe that no fee is due with the submission of this paper; however, should any fee be due, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 12-0080 referencing Attorney Docket No. ATX-007CP4DV12.

Dated: February 13, 2006

Respectfully submitted,



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